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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 09/935,199 | 08/22/2001 | Tejas B. Desai | 2000P07837US01 | 8756 |
| 24500 | 7590 | 03/24/2006 | EXAMINER | |
| SIEMENS CORPORATION INTELLECTUAL PROPERTY LAW DEPARTMENT 170 WOOD AVENUE SOUTH ISELIN, NJ 08830 | | | LEE, BENJAMIN C | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2612 | |

DATE MAILED: 03/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|------------------------|---------------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 09/935,199 | DESAI ET AL. | |
| | Examiner | Art Unit | |
| | Benjamin C. Lee | 2632 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 20 December 2005.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-4,6,9-12,14,15 and 21-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) 1-3,6,9,10,12,14,15 and 21-23 is/are allowed.
- 6) Claim(s) 24-27 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: _____.

Response To Amendment

Claim Status

1. Claims 1-4, 6, 9-12, 14-15 and 21-27 are pending.

Claim Rejections - 35 USC § 103

2. Claims 24-27 are rejected under 35 U.S.C. 103(a) as being obvious over Ghabra et al. (US pat. #6,420,967) in view of Taubenheim et al. (US pat. #6,198,779).

1) Regarding claims 24-25, Ghabra et al. discloses:

a) a remote signaling receiver system (Figs. 1-2) comprising: a first transmitter device (22 or 26) that generates at least a first wireless communication signal (24 or 28); a second transmitter device (16) that generates at least a second wireless communication signal (18); and a receiver (34) that receives the first and second signals, the receiver including a first demodulator (radio frequency channel) (“ASK”: “RSSI”, “50” and “52” of Fig. 2 and col. 6, lines 48-50) for processing the first signal and a second demodulator (image channel) (“FSK” of Fig. 2 and col. 6, lines 44-48) for processing the second signal;

except:

b) specifying the claimed wherein the receiver uses a microcontroller to determine a baud rate of a received wireless communication signal, and causing a received wireless communication signal having a first lower baud rate to be received for processing on the radio frequency channel, and causing a wireless communication signal of a second different baud rate to be received for processing on the image channel.

Ghabra et al. discloses that the receiver 34 receives at least 2 signals as inputs for processing by the FSK demodulator (image channel) and ASK demodulator (radio frequency channel) without specifying any particular selection determination, while Taubenheim et al. teaches that it has been known in the same art of RF receiver to use baud rate detection to determine if a proper signal is present on a given channel for processing (col. 1, lines 23-31).

In view of the teachings by Ghabra et al. and Taubenheim et al., it would have been obvious to one of ordinary skill in the art at the time of the claimed invention to implement the receiver having multiple-demodulation receiver channels of Ghabra et al. using a known method as taught by Taubenheim et al. in order that the appropriate one of the channels can be selected to process the received communication properly as intended, and furthermore that the respective baud rates need to be assigned to the first and second communication signals and one lower than the other to allow for their distinction.

2) Regarding claims 26-27, Ghabra et al. and Taubenheim et al. render obvious all of the claimed subject matter as in claim 24, including: wherein the second baud rate corresponds to the radio frequency channel used for ASK demodulation and that corresponds to a signal from a sensor device that generates a wireless communication signal indicating a sensed condition of a vehicle component (tire transmitter 16 mounted on tire of vehicle in Ghabra et al.) and the first baud rate corresponds to a signal from a transmitter device and that corresponds to the image channel used for FSK demodulation (24 or 28 of Ghabra et al.)

Allowable Subject Matter

3. Claims 1-3, 6, 9-10, 12, 14-15 and 21-23 allowed.

Response To Arguments

4. Applicant's arguments filed 12/20/05 have been fully considered but they are not persuasive.
- 1) Claims 1-3, 6, 9-10, 12, 14-15 and 21-23 have been allowed.
 - 2) New claims 24-27 have been rejected using new secondary reference (Taubenheim et al.). As a result, Applicant's arguments are moot in view of the new ground of rejection. See rejection above for detail.
 - 3) In conclusion, Applicant's arguments are not deemed persuasive in attempting to overcome the above rejection, and the above rejection is maintained.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
- 1) US patents 4065722, 5949826, 6904101
--Similar receivers having ASK and FSK demodulations.
6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

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CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Benjamin C. Lee whose telephone number is (571) 272-2963. The examiner can normally be reached on Mon -Thu 11:00Am-7:30Pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel Wu can be reached on (571) 272-2964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Benjamin C. Lee
Primary Examiner
Art Unit 2632

B.L.